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*Attorneys for Plaintiffs  
Coach Inc., and Coach Services, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'10CV 1344 JAH

CAB

COACH, INC., a Maryland Corporation;  
COACH SERVICES, INC., a Maryland  
Corporation,

Plaintiffs,

v.

ALLURING, an unknown business entity;  
VO SY, an individual, JACQUELINE SY,  
and individual; and DOES 1-10, inclusive,

Defendants.

CASE NO. CV

COMPLAINT FOR DAMAGES:

1. TRADEMARK COUNTERFEITING;
2. FEDERAL TRADEMARK INFRINGEMENT;
3. FALSE DESIGNATIONS OF ORIGIN AND FALSE ADVERTISING;
4. FEDERAL TRADEMARK DILUTION;
5. TRADEMARK DILUTION UNDER CALIFORNIA LAW;
6. COMMON LAW UNFAIR COMPETITION;

JURY TRIAL DEMANDED

Plaintiffs Coach, Inc., and Coach Services, Inc. ("Plaintiffs") for their claims  
against Defendants Alluring, Vo Sy, and Jacqueline Sy (collectively "Defendants")  
respectfully allege as follows:

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**JURISDICTION AND VENUE**

1  
2 1. Plaintiffs file this action against Defendants for trademark infringement  
3 and trademark dilution under the Lanham Trademark Act of 1946, 15 U.S.C. §1051 et  
4 seq. (the "Lanham Act"), and related claims of unfair competition and trademark  
5 dilution under the statutory and common law of the State of California. This Court has  
6 subject matter jurisdiction over the Federal trademark counterfeiting and infringement  
7 and trademark dilution claims pursuant to 28 U.S.C.A §§1121(a), 1331, 1338(a).

8 2. This Court has subject matter jurisdiction over the remaining claims  
9 pursuant to 28 U.S.C.A § 1367, since those claims are related to and arise from the  
10 same set of facts as Plaintiffs' trademark infringement claims.

11 3. This Court has personal jurisdiction over Defendants because Defendants  
12 do business within this judicial district, and the acts complained of occurred in this  
13 judicial district.

14 4. This action arises out of wrongful acts by Defendants within this judicial  
15 district. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because the  
16 claims asserted arise in this district.

17 **THE PARTIES**

18 5. Plaintiff Coach, Inc. is a corporation duly organized and existing under  
19 the laws of the State of Maryland, with its principal place of business in New York,  
20 New York. Plaintiff Coach Services, Inc., a wholly owned subsidiary of Coach, Inc.,  
21 is a corporation duly organized and existing under the laws of the State of Maryland  
22 with its principal place of business in Jacksonville, Florida. Plaintiffs Coach, Inc. and  
23 Coach Services, Inc. will hereinafter be collectively referred to as "Coach."

24 6. Upon information and belief, Defendant Alluring is an unknown business  
25 entity with an office and principal place of business at 7710 Balboa Ave. Ste. 310, San  
26 Diego, California 92111.

27 7. Upon information and belief, Defendant Vo Sy is an individual domiciled  
28 in this judicial district and/or doing business at Alluring.

1           8.     Upon information and belief, Defendant Jacqueline Sy is an individual  
2 domiciled in this judicial district and/or doing business at Alluring.

3           9.     Plaintiffs are unaware of the names and true capacities of Defendants,  
4 whether individual, corporate and/or partnership entities, named herein as DOES 1  
5 through 10, inclusive, and therefore sue them by their fictitious names. Plaintiffs will  
6 seek leave to amend this complaint when their true names and capacities are  
7 ascertained. Plaintiffs are informed and believe, and based thereon allege, that said  
8 Defendants and DOES 1 through 10, inclusive, are in some manner responsible for the  
9 wrongs alleged herein, and that at all times referenced each was the agent and servant  
10 of the other Defendants and was acting within the course and scope of said agency and  
11 employment.







12          10.    Plaintiffs are informed and believe, and based thereon allege, that at all  
13 relevant times herein, Defendants and DOES 1 through 10, inclusive, knew or  
14 reasonably should have known of the acts and behavior alleged herein and the damages  
15 caused thereby, and by their inaction ratified and encouraged such acts and behavior.  
16 Plaintiffs further allege that Defendants and DOES 1 through 10, inclusive, had a non-  
17 delegable duty to prevent or cause such acts and the behavior described herein, which  
18 duty Defendants and DOES 1 though 10, inclusive, failed and/or refused to perform.


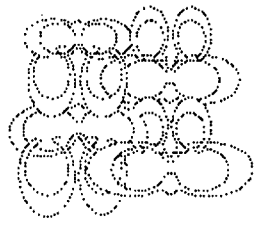


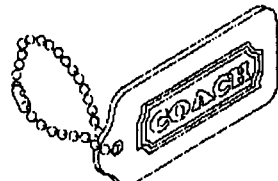
19                   **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

20           **A.     The Coach Brand and its Family of Marks**

21          11.    Coach was founded more than sixty years ago as a family-run workshop  
22 in Manhattan. Since then Coach has been engaged in the manufacture, marketing and  
23 sale of fine leather and mixed material products including handbags, wallets,  
24 accessories, eyewear, footwear, jewelry and watches. Coach sells its goods through its  
25 own specialty retail stores, department stores, catalogs and via an Internet website  
26 www.coach.com throughout the United States.

12. Coach is the worldwide owner of the trademark "COACH" and various composite trademarks and assorted design components (collectively "Coach Marks"). Coach Marks include but are not limited to the following marks:

Mark	U.S. Registration No(s).	Registration Date
"COACH"	751, 493 1,071,000 2,088,706 3,157,972	06/25/1963 08/09/1977 08/19/1997 10/17/2006
	3,413,536	04/15/2008
	3,251,315	06/12/2007
	3,441,671	06/03/2008
	2,252,847 2,534,429	06/15/1999 01/29/2002
	1,309,779 2,045,676 2,169,808	12/18/1984 03/18/1997 06/30/1998
 Signature "C" Logo	2,592,963 2,626,565 2,822,318 2,832,589 2,822,629 3,695,290	07/09/2002 09/24/2002 03/16/2004 04/13/2004 03/16/2004 10/13/2009

1 2 3 4	 Coach "Op Art" Mark	3,696,470	10/13/2009
5 6 7 8		3,012,585	11/08/2005
9 10 11 12		3,338,048	11/11/2007
13 14 15 16		2,162,303	06/02/1998
17 18 19 20 21		2,088,707	08/19/1997

22        13. Coach has long been manufacturing and selling in interstate commerce  
 23 high quality leather and mixed material products under the Coach Marks. These  
 24 registrations are valid and subsisting and are incontestable. Through longstanding use,  
 25 advertising, and registration, the Coach Marks have achieved a high degree of  
 26 consumer recognition and constitute famous marks.

1           14. Coach and its predecessors have continuously used the Coach Marks in  
2 interstate commerce in connection with the sale, distribution, promotion, and  
3 advertising of its goods for four decades.

4           15. Plaintiff's Coach Marks are highly recognized by the public and serve to  
5 identify the source of the goods as Coach.

6           16. Coach has achieved sales volumes of over three billion dollars annually  
7 and has spent over a hundred million dollars in advertising, promoting, and marketing  
8 goods bearing the Coach Marks. As such, the Coach Marks and the goodwill  
9 associated therewith are valuable assets of Coach.

10           17. Due to Coach and its predecessors' long use, extensive sales, and  
11 significant advertising and promotional activities, the Coach Marks have achieved  
12 widespread acceptance and recognition among the consuming public and trade  
13 throughout the United States. The arbitrary and distinctive Coach Marks identify  
14 Coach as the source/origin of the goods on which it appears.

15           **B. Defendants' Infringing Conduct**

16           18. On or around April 2010, Plaintiff discovered that Alluring, an unknown  
17 business entity located at 7710 Balboa Avenue, Suite 310 in the city of San Diego,  
18 California, had been offering for sale, and/or selling goods bearing counterfeit  
19 reproductions of various marks, including those owned by Coach.

20           19. On April 23, 2010, a search warrant was served at Alluring and over  
21 thirteen thousand counterfeit items were seized. Amongst the seized items were  
22 counterfeit Coach handbags, key chains, necklaces, shoes, sunglasses, wallets, and  
23 labels.

24           20. Coach representatives have inspected samples of the Coach-branded  
25 merchandise obtained from Alluring and have determined said merchandise to be  
26 counterfeit.

1           21.     Upon information and belief, Defendants Vo Sy and Jacqueline Sy were  
2 the active, moving, and conscious forces behind the alleged infringing activities of  
3 Alluring.

4           22.     None of the above-named Defendants are authorized by Coach to  
5 manufacture, distribute, advertise, offer for sale, and/or sell merchandise bearing any  
6 of the Coach Marks.

7                                   **FIRST CLAIM FOR RELIEF**

8                                   **(Trademark Counterfeiting – 15 U.S.C. § 1114)**

9           23.     Plaintiffs incorporate herein by reference the averments of the preceding  
10 paragraphs as though fully set forth herein.

11          24.     Defendants, without authorization from Coach, have used and are  
12 continuing to use spurious designations that are identical to, or substantially  
13 indistinguishable from, the Coach Marks in interstate commerce.

14          25.     The foregoing acts of Defendants are intended to cause, have caused,  
15 and are likely to continue to cause confusion or mistake, or to deceive consumers, the  
16 public, and the trade into believing that Defendants' counterfeit products are genuine  
17 or authorized products of Coach.

18          26.     Upon information and belief, Defendants have acted with knowledge of  
19 Coach's ownership of the Coach Marks and with deliberate intention or willful  
20 blindness to unfairly benefit from the incalculable goodwill inherent in the Coach  
21 Marks.

22          27.     Defendants' acts constitute trademark counterfeiting in violation of  
23 Section 32 of the Lanham Act (15 U.S.C. § 1114).

24          28.     Upon information and belief, Defendants have made and will continue  
25 to make substantial profits and gains to which they are not in law or equity entitled.

26          29.     Upon information and belief, Defendants intend to continue their  
27 infringing acts, unless restrained by this Court.  
28



1           30. Defendants' acts have damaged and will continue to damage Plaintiffs,  
2 and Plaintiffs have no adequate remedy at law.

3           31. In light of the foregoing, Plaintiffs are entitled to injunctive relief  
4 prohibiting Defendants from using the Coach Marks or any marks identical and/or  
5 confusingly similar thereto for any purpose, and to recover from Defendants all  
6 damages, including attorneys' fees, that Plaintiffs have sustained and will sustain as a  
7 result of such infringing acts, and all gains, profits and advantages obtained by  
8 Defendants as a result thereof, in an amount not yet known, as well as the costs of this  
9 action pursuant to 15 U.S.C. § 1117(a), attorneys' fees and treble damages pursuant to  
10 15 U.S.C. § 1117(b), and/or statutory damages pursuant to 15 U.S.C § 1117(c).

11                           **SECOND CLAIM FOR RELIEF**

12                           **(Federal Trademark Infringement – 15 U.S.C. 1114)**

13           32. Plaintiffs incorporate herein by reference the averments of the preceding  
14 paragraphs as though fully set forth herein.

15           33. The Coach Marks are nationally recognized, including within the  
16 Southern District of California, as being affixed to goods and merchandise of the  
17 highest quality and coming from Plaintiffs.

18           34. The registrations embodying the Coach Marks are in full force and  
19 effect and Plaintiffs have authorized responsible manufacturers and vendors to sell  
20 merchandise with these marks.

21           35. Defendants' unauthorized use of the Coach Marks on inferior quality  
22 merchandise in interstate commerce and advertising relating to same constitutes false  
23 designation of origin and a false representation that the goods and services are  
24 manufactured, offered, sponsored, authorized, licensed by or otherwise connected with  
25 Plaintiffs or come from the same source as Plaintiffs' goods and are of the same  
26 quality as that assured by the Coach Marks.

27           36. Defendants' use of The Coach Marks is without Plaintiffs' permission or  
28 authority and is in total disregard of Plaintiffs' rights to control their trademarks.



1           37. Defendants' activities are likely to lead to and result in confusion,  
2 mistake or deception and are likely to cause the public to believe that Plaintiffs have  
3 produced, sponsored, authorized, licensed or are otherwise connected or affiliated with  
4 Defendants' commercial and business activities, all to the detriment of Plaintiffs.

5           38. Upon information and belief, Defendants' acts are deliberate and  
6 intended to confuse the public as to the source of Defendants' goods or services and to  
7 injure Plaintiffs and reap the benefit of Plaintiffs' goodwill associated with Plaintiffs'  
8 trademarks.

9           39. As a direct and proximate result of Defendants' willful and unlawful  
10 conduct, Plaintiffs have been injured and will continue to suffer injury to their  
11 businesses and reputations unless Defendants are restrained by this Court from  
12 infringing Plaintiffs' trademarks.

13           40. Defendants' acts have damaged and will continue to damage Plaintiffs,  
14 and Plaintiffs have no adequate remedy at law.

15           41. In light of the foregoing, Plaintiffs are entitled to injunctive relief  
16 prohibiting Defendants from using The Coach Marks or any marks identical and/or  
17 confusingly similar thereto for any purpose, and to recover from Defendants all  
18 damages, including attorneys' fees, that Plaintiffs have sustained and will sustain as a  
19 result of such infringing acts, and all gains, profits and advantages obtained by  
20 Defendants as a result thereof, in an amount not yet known, as well as the costs of this  
21 action pursuant to 15 U.S.C. § 1117(a), attorneys' fees and treble damages pursuant to  
22 15 U.S.C. § 1117(b), and/or statutory damages pursuant to 15 U.S.C. § 1117(c).

23                           **THIRD CLAIM FOR RELIEF**

24                   **(False Designation of Origin and False Advertising - 15 U.S.C. § 1125(a))**

25           42. Plaintiffs incorporate herein by reference the averments of the preceding  
26 paragraphs as though fully set forth herein.

1       43.     The Coach Marks are nonfunctional and their inherently distinctive  
2 quality has achieved a high degree of consumer recognition and serves to identify  
3 Plaintiffs as the source of high-quality goods.

4       44.     Defendants' promotion, advertising, distribution, sale, and/or offering  
5 for sale of counterfeit Coach products, together with Defendants' use of other indicia  
6 associated with Coach is intended, and is likely to confuse, mislead, or deceive  
7 consumers, the public, and the trade as to the origin, source, sponsorship, or affiliation  
8 of said products, and is intended, and is likely to cause such parties to believe in error  
9 that the Defendants' counterfeit products have been authorized, sponsored, approved,  
10 endorsed or licensed by Coach, or that Defendants are in some way affiliated with  
11 Coach

12       45.     Defendants' use of the Coach Marks is without Plaintiffs' permission or  
13 authority and is in total disregard of Plaintiffs' rights to control their trademarks.

14       46.     Defendants' acts have damaged and will continue to damage Plaintiffs,  
15 and Plaintiffs have no adequate remedy at law.

16       47.     In light of the foregoing, Plaintiffs are entitled to injunctive relief  
17 prohibiting Defendants from using The Coach Marks, or any marks confusingly  
18 similar thereto, and to recover all damages, including attorneys' fees, that Plaintiffs  
19 have sustained and will sustain, and all gains, profits and advantages obtained by  
20 Defendants as a result of their infringing acts alleged above in an amount not yet  
21 known, as well as the costs of this action.

22                   **FOURTH CLAIM FOR RELIEF**

23                   **(Federal Trademark Dilution – 15 U.S.C. § 1125(c))**

24       48.     Plaintiffs incorporate herein by reference the averments of the preceding  
25 paragraphs as though fully set forth herein.

26       49.     The Coach Marks are strong and distinctive marks that have been in use  
27 for many years and have achieved enormous and widespread public recognition, and  
28 are thus "famous" within the meaning of the Lanham Act.

1           50. Defendants have used in commerce in connection with the sale of their  
2 products counterfeit reproductions of the Coach Marks, which is likely to cause, and  
3 most likely has caused, confusion or mistake as to the affiliation, connection, or  
4 association between Defendants and Plaintiffs, or as to the origin, sponsorship, or  
5 approval of said counterfeit goods by Plaintiffs.

6           51. Defendants' acts described above have diluted and continue to dilute the  
7 unique and distinctive Coach Marks. These acts violate the Lanham Act, have injured  
8 and, unless immediately restrained, will continue to injure Plaintiffs, causing damage  
9 to Plaintiffs in an amount to be determined at trial, as well as irreparable injury to the  
10 goodwill and reputation associated with the Coach Marks.

11           52. Upon information and belief, Defendants' unlawful actions began long  
12 after the Coach Marks became famous.

13           53. Upon information and belief, Defendants acted knowingly, deliberately  
14 and willfully with the intent to trade on the reputation of the Coach® brand, and to  
15 dilute the Coach Marks. Defendants' conduct is willful, wanton, and egregious.

16           54. Upon information and belief, the individual Defendants herein named  
17 were active, moving, conscious forces behind the alleged infringing activities.

18           55. Plaintiffs have no adequate remedy at law to compensate them fully for  
19 the damages that have been caused and which will continue to be caused by  
20 Defendants' unlawful acts unless they are enjoined by this Court.

21           56. In light of the foregoing, Plaintiffs are entitled to injunctive relief  
22 prohibiting Defendants from using the Coach Marks, and to recover all damages,  
23 including attorneys' fees, that Plaintiffs have sustained and will sustain, and all gains,  
24 profits and advantages obtained by Defendants as a result of their infringing acts  
25 alleged above in an amount not yet known, as well as the costs of this action.

26 ///

27 ///

28 ///

**FIFTH CLAIM FOR RELIEF**

**(Trademark Dilution in Violation of Cal. & Bus. Prof. Code)**

57. Plaintiffs incorporate herein by reference the averments of the preceding paragraphs as though fully set forth herein.

58. The Coach Marks are distinctive in the State of California by virtue of their substantial inherent and acquired distinctiveness, extensive use in the State of California, and the extensive advertising and wide spread publicity of the marks in the State of California.

59. As a result of the substantial inherent and acquired distinctiveness of the Coach Marks, their extensive use in the State of California, and the extensive advertising and publicity of said marks in the State of California, the Coach Marks have become strong and are widely renowned.

60. The actions of Defendants complained of herein are likely to injure the business reputations and dilute the distinctive quality of the Coach Marks, which are famous.

61. The foregoing acts of Defendants constitute dilution and injury to business reputations in violation of the California Business and Professions Code.

62. The conduct herein complained of was extreme, outrageous, fraudulent, and was inflicted on Plaintiffs in reckless disregard of Plaintiffs' rights. Said conduct was despicable and harmful to Plaintiffs and as such supports an award of exemplary and punitive damages in an amount sufficient to punish and make an example of the Defendants and to deter them from similar such conduct in the future.

63. Upon information and belief, the individual Defendants herein named were active, moving, conscious forces behind the alleged infringing activities.

64. By reason of the foregoing, Plaintiffs are being damaged by Defendants' unauthorized and illegal use of the Coach Marks in the manner set forth above, and will continue to be damaged unless Defendants are immediately enjoined under

1 Section 14247 of the California Business and Professions Code from using any of the  
2 Coach Marks.

3 65. Plaintiffs will be irreparably injured by the continued acts of  
4 Defendants, unless such acts are enjoined.

5 66. Defendants' acts have damaged and will continue to damage Plaintiffs,  
6 and Plaintiffs have no adequate remedy at law.

7 67. In light of the foregoing, Plaintiffs are entitled to injunctive relief  
8 prohibiting Defendants from using the Coach Marks for any purpose, destruction of the  
9 counterfeit merchandise, and recovery of up to three times their profits from, and up to  
10 three times all damages suffered by reason of, Defendants' wrongful manufacture, use,  
11 display, or sale of infringing products.

12 **SIXTH CLAIM FOR RELIEF**

13 **(Common Law Unfair Competition)**

14 68. Plaintiffs incorporate herein by reference the averments of the preceding  
15 paragraphs as though fully set forth herein.

16 69. Plaintiffs own and enjoy common law trademark rights to the Coach  
17 Marks in California and throughout the United States.

18 70. Defendants' unlawful acts in appropriating rights in the Coach Marks  
19 were intended to capitalize on Plaintiffs' goodwill associated therewith for  
20 Defendants' own pecuniary gain. Plaintiffs have expended substantial time, resources  
21 and effort to obtain an excellent reputation for their respective brands. As a result of  
22 Plaintiffs' efforts, Defendants are now unjustly enriched and are benefiting from  
23 property rights that rightfully belong to Plaintiffs.

24 71. Defendants' unauthorized use of the Coach Marks has caused and is  
25 likely to cause confusion as to the source of Defendants' products, all to the detriment  
26 of Plaintiffs.

27 72. Defendants' acts are willful, deliberate, and intended to confuse the  
28 public and to injure Plaintiffs.





1 (b) engaging in any other activity constituting unfair competition with  
2 Coach, or acts and practices that deceive consumers, the public, and/or trade, including  
3 without limitation, the use of designations and design elements associated with Coach;

4 (c) engaging in any other activity that will dilute the distinctiveness of  
5 the Coach Marks;

6 (d) committing any other act which falsely represents or which has the  
7 effect of falsely representing that the goods and services of Defendants are licensed by,  
8 authorized by, offered by, produced by, sponsored by, or in any other way associated  
9 with Plaintiffs;

10 2. Ordering Defendants to recall from any distributors and retailers and to  
11 deliver to Coach for destruction or other disposition all remaining inventory of all  
12 infringing products, including all advertisements, promotional and marketing materials  
13 therefore, as well as means of making same;

14 3. Ordering Defendants to file with this Court and serve on Coach within  
15 thirty (30) days after entry of the injunction a report in writing, under oath setting forth  
16 in detail the manner and form in which Defendants have complied with the injunction;

17 4. Ordering an accounting by Defendants of all gains, profits and advantages  
18 derived from their wrongful acts;

19 5. Awarding Plaintiffs all of Defendants' profits and all damages sustained  
20 by Plaintiff as a result of Defendants' wrongful acts, and such other compensatory  
21 damages as the Court determines to be fair and appropriate pursuant to 15 U.S.C.  
22 § 1117(a);

23 6. Awarding treble damages in the amount of Defendants' profits or  
24 Plaintiffs' damages, whichever is greater, for willful infringement pursuant to 15  
25 U.S.C. § 1117(b);

26 7. Awarding applicable interest, costs, disbursements and attorneys' fees,  
27 pursuant to 15 U.S.C. § 1117(b);

28 8. Awarding Plaintiffs' statutory damages pursuant to 15 U.S.C. § 1117(c);

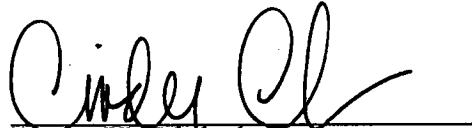


1           9.     Such other relief as may be just and proper.

2  
3     Dated: June 24, 2010

BLAKELY LAW GROUP

4  
5     By:



Brent H. Blakely

Cindy Chan

*Attorneys for Plaintiffs*

*Coach, Inc. and Coach Services, Inc.*

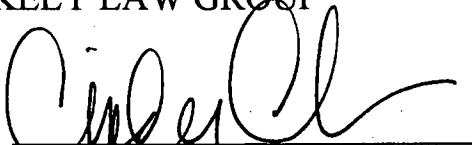
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8  
9                     **DEMAND FOR JURY TRIAL**

10           Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs hereby  
11 demand a trial by jury as to all claims in this litigation.

12  
13     Dated: June 24, 2010

BLAKELY LAW GROUP

14  
15     By:



Brent H. Blakely

Cindy Chan

*Attorneys for Plaintiffs*

*Coach, Inc. and Coach Services, Inc.*

JS 44 (Rev 12/07)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of filing the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

COACH, INC.; COACH SERVICES, INC.

## DEFENDANTS

ALLURING; Vo Sy; Jaqueline Sy

(b) County of Residence of First Listed Plaintiff New York

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant San Diego

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Brent H. Blakely (SBN 157292) Cindy Chan (SBN 247495)

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T: 323-464-7400 F: 323-474-7410

Attorneys (If Known)

'10CV 1344 JAH CAB

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainees <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1114 and 1125

Brief description of cause:

Trademark Infringement under Lanham Act

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

100,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

06/24/10

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

14974 \$350-  
WB 06-25-10

CR

Court Name: USDC California Southern  
Division: 3  
Receipt Number: CAS014974  
Cashier ID: mbain  
Transaction Date: 06/25/2010  
Payer Name: BRENT BLAKELY LAW OFFICE

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CIVIL FILING FEE  
For: COACH INC V ALLURING  
Case/Party: D-CAS-3-10-CV-001344-001  
Amount: \$350.00

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CHECK  
Check/Money Order Num: 2856  
Amt Tendered: \$350.00

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Total Due: \$350.00  
Total Tendered: \$350.00  
Change Amt: \$0.00

There will be a fee of \$45.00  
charged for any returned check.